

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

BOSTON FEDERAL SAVINGS BANK,

Plaintiff,

v.

MICHELE A. DEANGELIS,  
HAROLD B. MURPHY, TRUSTEE,  
CHAMPION MORTGAGE CO., INC.,  
SHAUN CARVELLI D/B/A/ARTISTIC  
INTERIOR, ELLEN R. MARCUS, MARK T.  
COLLINS, MASSACHUSETTS DEPT.  
OF REVENUE, AND THE INTERNAL  
REVENUE SERVICE,

Defendants.

CIVIL ACTION NO. 04-10474-GAO

Formerly  
Suffolk Superior Court  
C.A. No. 04-0305

**MOTION TO DEPOSIT IN COURT AND TO DISMISS PLAINTIFF**

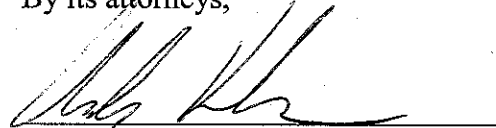
Now comes the Plaintiff, Boston Federal Savings Bank, and moves pursuant to Fed. R. Civ. P. 67 to deposit in Court the sum of \$89,597.57, consisting of the surplus funds from the mortgage foreclosure conducted by Plaintiff on the premises of the Defendant, Michele A. DeAngelis, in the amount of \$93,076.78 less costs, expenses and attorneys' fees related to the filing and prosecution of this interpleader action in the Superior Court and this Court. Plaintiff, Boston Federal Savings Bank, further moves that it be dismissed as a party to this interpleader action after such deposit with this Court. As grounds therefore, the Plaintiff states that it is merely a stakeholder and has no interest in said funds except as set forth herein. The remaining defendants, Michele A. DeAngelis, Harold Murphy, Champion Mortgage Co., Inc., Shaun Carvelli d/b/a Artistic Interiors, Ellen R. Marcus, Mark T. Collins, The Massachusetts Department of Revenue, and The Internal Revenue Service, are interested parties who may appear and prove their claim. In further support of this

Motion, the Plaintiff submits the Affidavit of counsel regarding costs, expenses and attorneys fees related to this interpleader. Said Affidavit is attached hereto as Exhibit "A".

WHEREFORE, the Plaintiff respectfully requests that this Court issue an order permitting deposit on the clerk of the court the sum of \$89,597.57 and dismiss the action as to Boston Federal Savings Bank, upon deposit.

Respectfully submitted,

BOSTON FEDERAL SAVINGS BANK,  
By its attorneys,

A handwritten signature in black ink, appearing to read 'Adam J. Ruttenberg', is written over a horizontal line.

Adam J. Ruttenberg, BBO 553158  
P. Andy Henderson, Jr. BBO 655891  
LOONEY & GROSSMAN LLP  
101 Arch Street  
Boston, MA 02110  
(617) 951-2800

Dated: April 6, 2004